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Attorneys for  
BROCADE COMMUNICATIONS SYSTEMS, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

MARY E. BARBOUR AS TRUSTEE FOR THE  
MARY E. BARBOUR FAMILY TRUST ONE,  
Derivatively On Behalf of BROCADE  
COMMUNICATIONS SYSTEMS, INC.,

Plaintiff,

vs.

GREGORY L. REYES, DAVID L. HOUSE,  
MICHAEL KLAYKO, RICHARD  
DERANLEAU, KUMAR MALAVALLI,  
ANTONIO CANOVA, MICHAEL J. BYRD,  
STEPHANIE JENSEN, NEIL DEMPSEY,  
SANJAY VASWANI, L. WILLIAM KRAUSE,  
ROBERT R. WALKER, GLENN C. JONES,  
MICHAEL J. ROSE, SETH D. NEIMAN,  
NICHOLAS G. MOORE, CHRISTOPHER B.  
PAISLEY, WILLIAM K. O'BRIEN, LARRY

Case No. 08-CV-2029

MOTION AND ~~PROPOSED~~ ORDER  
REGARDING LEAVE TO EXCEED  
PAGE LIMITS

1 **SONSINI, MARK LESLIE, TYLER WALL,** )  
 2 **RENATO A. DIPENTIMA, JOHN W.** )  
 3 **GERDELMAN, ROBERT D. BOSSI, KPMG,** )  
 4 **LLP, WILSON SONSINI GOODRICH &** )  
 5 **ROSATI, P.C. AND DOES 1-25, inclusive,** )  
 6 **Defendants,** )  
 7 **-and-** )  
 8 **BROCADE COMMUNICATIONS** )  
 9 **SYSTEMS, INC., a Delaware** )  
 10 **corporation,** )  
 11 **Nominal Defendant** )

12 Nominal defendant Brocade Communications Systems, Inc. ("Brocade") respectfully  
 13 moves pursuant to Local Rule 7-11 for leave to exceed the page limitations specified in Local Rule  
 14 7-2 and this Court's Standing Orders dated June 30, 2004. Specifically, Brocade seeks leave to  
 15 exceed these page limitations in its opening memorandum of points and authorities in support of its  
 16 motion to dismiss the amended complaint in this action or, in the alternative, to realign the parties  
 17 and stay this action, dated August 2, 2008.

18 The page limit for a memorandum of points and authorities is 25 pages pursuant to  
 19 Local Rule 7-2 and 15 pages pursuant to the Court's Standing Orders.

20 Although Brocade has diligently worked to keep its memorandum of points and  
 21 authorities as brief as possible, the nature of this matter, its relation to already pending litigation in  
 22 this Court, and the issues raised by plaintiff's amended complaint do not permit Brocade to fully and  
 23 adequately brief the issues within the page limits set out in the Local Rules and this Court's Standing  
 24 Orders. Brocade's memorandum of points and authorities total 50 pages.

25 WHEREFORE, Brocade respectfully requests that the Court enter an order permitting  
 26 it to exceed the page limitations set forth in Local Rule 7-2 and this Court's Standing Orders in its  
 27

memorandum of points and authorities in support of its motion to dismiss or, alternatively, to realign the parties and stay this action.

Dated: August 3, 2008

Respectfully submitted,

DEWEY & LEBOEUF LLP

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Attorneys for

**BROCADE COMMUNICATIONS SYSTEMS,  
INC.**

\* \* \*

**ORDER**

IT IS SO ORDERED

DATED: August 4, 2008

